

RESOLUTION NO. A-_____

1 RESOLUTION of intention to establish a Management Business Improvement District to
2 be known as the Downtown Business Improvement District bounded roughly by H, 6th, R and
3 17th Streets in the City of Lincoln as more specifically described herein;

4 WHEREAS, the City Council of the City of Lincoln created a Business Area
5 Improvement Board by Resolution Nos. A-83646 and A-83647 within the boundaries of a
6 business area zoned for business, public, or commercial purposes in downtown Lincoln;

7 WHEREAS, the City Council determined the defined business area was in need of
8 development and lacked the necessary funds to provide and maintain improvements;

9 WHEREAS, the Business Area Improvement Board, on January 17, 2006, recommended
10 that the City Council create 2 new business improvement districts to become effective September
11 1, 2006 for a ten-year period ending August 31, 2016 funded by special assessments based on
12 valuation consisting of a Downtown B.I.D. and a Core B.I.D. Overlay to replace the existing
13 Management Business Improvement Districts; and

14 WHEREAS, the City of Lincoln intends to consider at public hearing an ordinance to
15 establish the recommended districts.

16 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

17 Under the authority of the Business Improvement District Act, Neb. Rev. Stat. § 19-4015
18 et seq. (Reissue 1997) and based upon the recommendations received from the duly appointed
19 Downtown Area Business Improvement Board and the Lincoln-Lancaster County Planning
20 Commission, the City Council of the City of Lincoln hereby states its intention to create a
21 Management Business Improvement District to be known as the Downtown Business

1 Improvement District for the purpose of providing work and improvement programs under the
2 act for the betterment of the district and employing or contracting personnel, including
3 administrators, to provide for any service as may be necessary or proper to carry out the
4 purposes of the Business Improvement District Act as provided in the ordinance creating the
5 district.

6 BE IT FURTHER RESOLVED that in accordance with the Business Improvement
7 District Act, Neb. Rev. Stat. § 19-4015 et seq. (Reissue 1997) (the Act) the following
8 information is provided regarding the creation of such business improvement district:

9 1. The following described property represented on the attached map (Attachment "A")
10 shall be included within the business improvement district boundary:

11 In the original plat of the City of Lincoln: The south 1/2 of Blocks 25, 26,
12 27(including all of Bigelow's Subdivision and Quiggle's Subdivision), and 28; all
13 of Blocks 30 (including all of Haymarket Parking Garage Addition), 31
14 (including all of Buck's Subdivision), 32 (including all of the Candy Factory
15 Subdivision), 33 (including all of the Hambleton-Webb Subdivision and all of the
16 County Clerk's Subdivision of Block 33), 34 (including all of J.G. Miller's
17 subdivision), 35(including all of the County Clerk's subdivision of Block 35, all
18 of the Schaberg Menlove's Subdivision and all of the Putnam and Brocks
19 Subdivision), 36 (including all of "Que" place Addition), 37 (including all of
20 Webster & Bonnell's Subdivision), 38, 39 (including all of the University Square
21 Addition), 40 (including all of Lansing's Subdivision), 41 (including all of the
22 County Clerk's Subdivision of Block 41), 42 (including all of Imhoff & Hyatt's
23 Subdivision) Old Federal 2nd Addition, 44, 45, 53 (including all of the County
24 Clerk's Subdivision of Block 53, and Lots 1-7 of the Lincoln Land Co.
25 Subdivision of Block 53), 54 (including all of the County Clerk's Subdivision of
26 the north 1/2 of Block 54 and all of the County Clerk's Subdivision of the south
27 1/2 of Block 54) 55 (including all of the Referees Subdivision of Block 55, all of

1 the County Clerk's Subdivision of Block 55 and all of Cropsey's Subdivision of
2 Block 55), 57, 58 (including all of McDonald's Subdivision), 59, 60, 61
3 (including Koch's Subdivision), 62, 63, 64, 65, 66, 67 (including all of Baird's
4 Subdivision, all of Masonic Temple Ass'n replat of Block 67, and all of
5 Ballantine Subdivision), 68 (including all of Cropsey's subdivision of Block 68
6 and all of Brocks Subdivision), 69 (including all of the City Real Estate Co
7 Subdivision of Block 69), 70, 85 (including lots 1-7 of the Lincoln Land Co.
8 Subdivision of Block 85), 86, 87 (including all of the County Clerk's Subdivision
9 of Block 87 and all of Brock's Subdivision of Block 87), 88 (including all of N.C.
10 Brock's Subdivision of Block 88 and all of Sheldon's Subdivision), 90, 91, 92,
11 93, 94, 95, 96, 97 (including all of Kennard's Subdivision) , 98, 99 (including all
12 of Barretts Subdivision and all of Billingsley's Subdivision), 100 (including all of
13 the County Clerk's Subdivision of Block 100, all of Beynon Addition, and all of
14 Jones Subdivision), 101 (including all of the County Clerk's Subdivision of Block
15 101 and all of Sheffield's Subdivision), 102 (including Lots 1-7 of the Lincoln
16 Land Co. Subdivision of Block 102), 119, 120, 121 (including all of the County
17 Clerk's Subdivision of Block 121), 122 (including all of the County Clerk's
18 Subdivision of Block 122); and the North 1/2 of Blocks, 125, 126, 127, and 128
19 of the original plat of the City of Lincoln including all those portions of vacated
20 streets and alleys abutting thereon;

21 [56] All of Centrum Addition including all those portions of vacated
22 streets and alleys abutting thereon;

23 [89] All of the Cornhusker Square and Cornhusker Square First Addition
24 including all those portions of vacated streets and alleys abutting thereon;

25 [316, 317, 318] All of lots 37, 38, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51,
26 53, 54, 55, 56, 57, 58, 60, 61, and 62 of S.W. Little's Subdivision including all
27 those portions of vacated streets and alleys abutting thereon.

28 [322] All of lots 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of Little and Alexander's
29 Subdivision of Lot 63 S.W. Little's Subdivision, including all of the east-west

1 alley abutting thereon and including all those portions of vacated streets and
2 alleys abutting thereon

3 [323] All of Richard's Addition to Lot 64 S.W. Little's Subdivision.

4 [324] All of the Co. Clerk's Subdivision of Lot 65 S.W. Little's
5 Subdivision including all those portions of vacated streets and alleys abutting
6 thereon.

7 [324] All of the 1st Nat'l Bank Subdivision of Lot 65 S.W. Little's
8 Subdivision including all those portions of vacated streets and alleys abutting
9 thereon.

10 All of lots 1, 2, 3, 4, and 5 of Lincoln Station Subdivision including all
11 those portions of vacated streets and alleys abutting thereon.

12 Where properties are located on the outer edge of such district, the
13 boundary of the district shall extend to the centerline of any street or alley
14 abutting thereon.

15 2. That the City Council of the City of Lincoln will consider the establishment of
16 such business improvement district at a public hearing on February 6, 2006, at the hour of 1:30
17 p.m., or as soon thereafter as possible in the City Council Chambers, first floor, County-City
18 Building, 555 South 10th Street, Lincoln, Nebraska 68508.

19 3. That the work to be performed and specific improvements proposed to be made
20 or maintained for such business improvement district consist of:

21 a. Economic Development.

22 Economic development activities will aim to improve the business climate
23 of downtown with the goal of attracting and retaining businesses, jobs and investment. While
24 annual work programs and budgets will be developed in collaboration with stakeholders and
25 approved by the Downtown Lincoln Association board of directors, programs will be selected
26 from a variety of options that may include the following:

1 (1) Facilitate efforts with property owners, brokers and businesses to
2 fill under-utilized downtown properties.

3 (2) Conduct business retention efforts to encourage existing
4 businesses to grow, including initiatives and support services to encourage local independent
5 retail.

6 (3) Help attract new investment and catalytic projects that are
7 consistent with the vision and goals of the 2005 Downtown Master Plan.

8 (4) Design and produce investor marketing packages to assist real
9 estate brokers, developers and property owners in business recruitment efforts.

10 (5) Maintain a district database with local market and real estate
11 information.

12 (6) Trouble-shoot and liaison services to assist property and business
13 owners to invest and operate in the district.

14 (7) Enhance research and development of the downtown website.

15 (8) Advertising, including branding and cooperative campaigns and
16 increased placement and frequency in local media.

17 (9) Promote housing and residential development in downtown.

18 (10) Work with the Lincoln Partnership for Economic Development
19 (LPED) and the Lincoln Chamber of Commerce to collaboratively position Lincoln for new
20 business and downtown as a prime business location.

21 b. Parking and Transportation.

1 Parking and transportation initiatives aim to make it easier for customers,
2 employees and visitors to park in and get around the downtown. Approaches include a
3 combination of improved parking management, promotion, innovative finance and partnerships.

4 Virtually all parking and transportation recommendations from the 1999
5 Management BID Business Plan have been implemented, including:

6 (1) Allocation of revenue from a meter increase to the City's parking
7 enterprise fund that has allowed the City to reinvest parking revenues in Downtown parking
8 improvements.

9 (2) Construction of the Haymarket parking garage.

10 (3) Creation of a database of parking options.

11 (4) Management of a parking validation program for customers.

12 (5) Marketing and education of parking and transportation options.

13 For the next five years, new parking and transportation initiatives may include:

14 (1) Implement parking management system recommendations from
15 the 2005 Carl Walker parking study.

16 (2) Investigate options for improving mobility for all modes of
17 transportation, including bicycles and shuttles, within the downtown and consistent with the
18 Downtown Master Plan.

19 (3) Continue efforts to market and educate downtown stakeholders on
20 parking and transportation options.

21 c. Communications and Advocacy.

22 The Management BIDs support ongoing efforts by the Downtown Lincoln
23 Association to champion downtown interests and involve property owners, businesses and

1 residents in crafting pro-active solutions to issues that affect downtown. Ongoing
2 communications and advocacy initiatives may include:

- 3 (1) Continue to publish a downtown newsletter.
- 4 (2) Conduct periodic BID ratepayer surveys to measure overall
5 satisfaction with programs.
- 6 (3) Manage media relations activities to project a positive image in
7 local, regional and national media.
- 8 (4) Increase distribution and enhance the quality of publications,
9 including the downtown map and directory and activity guides.
- 10 (5) Maintain and improve the Downtown Lincoln website.
- 11 (6) Public relations efforts to promote a positive image and overall
12 experience.
- 13 (7) Conduct periodic forums and “town hall” meetings to keep
14 ratepayers informed and involved in downtown development and management issues.

15 d. Management, Support and Reserve:

16 Through the Downtown Lincoln Association, the Management BIDs support a
17 professional staff that delivers programs and advocates on behalf of downtown. The BIDs allow
18 downtown property owners to project a unified voice and elevate their influence in policies and
19 issues that affect the central business district. Funds are allocated to office and support services
20 such as bookkeeping, office rent, insurance, office equipment and professional development and
21 training for the staff and Downtown Lincoln Association board. An operating reserve is also
22 budgeted as a contingency for any payment delinquencies and/or unforeseen budget adjustments.

1 4. The proposed district would become effective on September 1, 2006 for a period of
2 10 years to terminate on August 31, 2016. The estimated total annual costs and expenses for the
3 work proposed to be performed within such district are \$355,651 (first year estimate); provided
4 that, maximum amount of the first year's annual assessment for the district would not exceed
5 \$285,651. In the subsequent nine years the maximum amount of the annual assessment for the
6 district will not exceed the first year maximum assessment amount (\$285,651), plus an increase
7 equal to the amount of the Lincoln Consumer Price Index or 5%, whichever is less. The specific
8 improvements for the first year are listed for purposes of estimating the costs and expenses of
9 performing the proposed work and improvements. The assessments levied shall not exceed
10 \$285,651 for the first year. Although the district proposal is for a ten year period, the City
11 Council after public hearing shall approve an annual budget for specific work and improvements
12 in each succeeding year consistent with the ordinance creating the district. The City Council
13 retains the authority to change, modify and remove proposed improvements; however, the
14 proposed improvements cannot exceed the scope of improvements and the annual assessment
15 cannot exceed the maximum amounts of the annual assessment provided by the ordinance
16 creating the district.

17 5. The costs and expenses for the work proposed to be performed within such business
18 improvement district will be raised through special assessments based upon the special benefits
19 to the property as fairly and equitably assessed by the City Council. The assessments will be
20 levied annually as a percentage of assessed valuation of taxable property within the districts.
21 Based on the recommendation of the Business Area Improvement Board, residential properties,
22 both owner-occupied and rental, are expected to receive full benefit from communications and
23 advocacy services. This adjustment results in residential properties being assessed at 35% of the

1 Downtown BID assessment rate for the purpose of Downtown BID assessments. Thirty-five
2 percent (35%) is the proportion of communication and advocacy services in the Downtown BID
3 budget. For income assisted residential properties that provide low-to-moderate income owner-
4 occupied and/or rental housing, the residential assessment rate will be 50% of the full residential
5 rate, or 17.5% of the Downtown BID assessment rate for the purpose of Downtown BID
6 assessments. The income-assisted adjustment will apply only to units that are restricted to
7 occupancy be low-to-moderate income households. For mixed use buildings that combine
8 residential and other uses, the property owner may submit evidence supporting a percentage split
9 of the assessed value between residential and other uses for the City Council to consider when
10 sitting as a board of equalization.

11 6. Based on the recommendation of the Business Area Improvement Board , all
12 owners of property exempt from ad valorem taxes within the district will be invited annually to
13 contribute annually to the City of Lincoln to support B.I.D. activities, promotions and
14 improvements. Any contributions shall be allocated to reduce assessment rates in the district.

15 7. Commonly owned properties that are intersected by a boundary line establishing the
16 district shall be considered as entirely within the district unless otherwise determined by the City
17 Council when sitting as a Board of Equalization.

Introduced by:

Approved as to Form and Legality:

Assistant City Attorney

Approved this ____ day of _____, 2006:

Mayor